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5 Attorneys for Defendants
6 ALLIED PROPERTY AND CASUALTY
7 INSURANCE COMPANY, AMCO INSURANCE
COMPANY, and NATIONWIDE MUTUAL
INSURANCE COMPANY

8 UNITED STATES DISTRICT COURT
9 SOUTHERN DISTRICT OF CALIFORNIA
10 SAN DIEGO DIVISION

11 1800 SOUTH MAPLE STREET, LLC, a
12 California Limited Liability Company;
13 RALPH J. GIANNELLA, an individual;
14 GIANNELLA PROPERTIES, INC., a
15 California Corporation; WILLIAM G.
16 AYYAD, an individual; WILLIAM G.
17 AYYAD, INC., a California Corporation;
18 an PREMIER COMMUNITIES, LLC, a
19 California Limited Liability Company,

Plaintiff,

vs.

20 ALLIED PROPERTY AND
21 CASUALTY INSURANCE COMPANY,
22 an Iowa Corporation; AMCO
INSURANCE COMPANY, an Iowa
Corporation; NATIONWIDE MUTUAL
INSURANCE COMPANY, an Ohio
Corporation, and DOES 1 to 100,
inclusive,

Defendants.

CASE No. 07-CV-2030

**DECLARATION OF KAREN L. UNO IN
SUPPORT OF DEFENDANTS'
OPPOSITION TO PLAINTIFFS' MOTION
FOR LEAVE TO AMEND; EXHIBITS**

Date: February 29, 2008
Time: 1:30 P.M.
Courtroom: Honorable Judge Jeffrey T. Miller

Date Filed: September 10, 2007
Date Removed: October 19, 2007
Trial:

1 I, Karen L. Uno, declare as follows:

2 1. I am an attorney, licensed to practice law before all courts in the State of
 3 California. I am a partner in the law firm of Long & Levit LLP, counsel of record in this matter
 4 for Defendants ALLIED PROPERTY AND CASUALTY INSURANCE COMPANY, AMCO
 5 INSURANCE COMPANY, and NATIONWIDE MUTUAL INSURANCE COMPANY. I was
 6 also co-counsel for AMCO in the matter entitled Avocado Crest v. Allied Mutual Insurance
 7 Company, et.al., San Diego County Superior Court Case No. GIC 857918. I have personal
 8 knowledge of the following facts, and would competently testify to their truthfulness if called as
 9 a witness in this matter.

10 2. I have reviewed AMCO's claim file pertaining to this matter and portions
 11 of AMCO's coverage counsel's file regarding the claim at issue and would competently testify
 12 to the following if called as a witness in this matter.

13 3. Attached as Exhibit "A" to this declaration is a true and correct copy of
 14 the Second Amended Complaint from the case entitled, Avocado Crest Condominiums, LLC, et
 15 al. v. Allied Mutual Insurance et. al., (GIC 857918), filed in the San Diego County Superior
 16 Court.

17 4. Attached as Exhibit "B" to this declaration is a true and correct copy of
 18 the letter from Andrea Ray to Bob Johnson of AMCO dated January 12, 2006, without
 19 enclosures.

20 5. Attached as Exhibit "C" to this declaration is a true and correct copy of
 21 the letter from Robyn Spagnulo to Scott A. Johnson of Miller Johnson Law dated March 9,
 22 2006.

23 6. Attached as Exhibit "D" to this declaration is a true and correct copy of
 24 the letter from C. Brant Noziska to Scott Johnson dated May 7, 2007.

25 7. Attached as Exhibit "E" to this declaration is a true and correct copy of
 26 the letter from Scott A. Johnson to Neal H. Rockwood dated May 21, 2007.

27 8. Attached as Exhibit "F" to this declaration is a true and correct copy of
 28 the case entitled, Farrugia v. Allstate Insurance Company, 2007 U.S. Dist. LEXIS 22628 (N.D.

1 Cal. 2007).

2 9. Attached as Exhibit "G" to this declaration is a true and correct copy of
3 the case entitled, Gunn v. Wild, 2002 U.S. Dist. LEXIS 3628 (N.D. Cal. 2002).

4 10. Attached as Exhibit "H" to this declaration is a true and correct copy of
5 the case entitled, Miskuski v. Crescent Heights of America, Inc., 2007 U.S. Dist. LEXIS 37223
6 (S.D. Cal. 2007).

7 I declare under penalty of perjury, under the laws of the State of California, that the
8 foregoing is true and correct and that this declaration was executed this 15th day of February,
9 2008 at San Francisco, California.

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14 Karen L. Uno
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